Tax Map/Block/Parcel
No. 34 11 27

Building Permit/Zoning
Certificate BP-02-4724

Case ZA-733

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	John E. Smith, Sr. 7539 Middleburg Road Detour, Maryland 21757
REQUEST:	A variance from the required minimum side yard setback of 10 Ft. to 5 Ft. to enclose an existing carport.
LOCATION:	7539 Middleburg Road Detour, MD 21757
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Sections 223-113 and 223-181
HEARING HELD:	March 4, 2003

FINDINGS & CONCLUSIONS

Based on the testimony and evidence presented at the hearing, the variance is granted.

Facts which support the request for relief from the strict terms of Section 223-113 of the Carroll County Code, in this case, a reduction in the minimum side-yard setback standard from 10 feet to 5 feet in the BG, Business General District for enclosing a carport.

A visit to the site was made by the Zoning Administrator and photographs were taken of the carport, indicating its proximity to adjoining properties on February 25, 2003. The property was duly posted, but the sign had become obliterated due to an accumulation of snow. All adjoining property owners were notified of the request for a variance. The site was reposted within 5 days of the site visit. It was noted that a large commercial size carport was in place and that the petitioner was obviously engaged in the repair of autos, trucks and farm machinery.

At the hearing, Mr. Smith explained that he had operated a repair business from this location for many years and that an un-enclosed carport was cause of an unnecessary hardship for him in periods of inclement weather. Mr. Tracy Turner of 7541 Middleburg Road, Detour, MD, the adjoining property owner nearest the carport structure, testified that he had no objection to the variance. No other members of the public attended the hearing in objection to the variance. No communications were received from the public regarding the variance.

This approval is valid for one year from the date of a Zoning Certificate.

NOTE:

Appeals of decision made pursuant to Section 223-181 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrators decision in accordance with Section 223-182 of the Code of Public Local Laws & Ordinances.

A decision of the Zoning Administrator made pursuant to Section 223-182 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

3-17-03
DATE

NEIL RIDGELY
ZONING ADMINISTRATOR

cc: Zoning Enforcement